

### **REMARKS**

Claims 6-10 and 12-15 are amended herein and claim 21 is added as a new claim. Support is found, for example, in the Examples and Tables 3 and 6. Claim 15 is also amended to correct a typographical error in the Preliminary Amendment filed on October 9, 2003. Hence, no new matter is presented. Claims 1-5 and 16-20 were previously canceled. Thus, upon entry of the amendment, claims 6-15 and 21 will be all of the claims pending in the application for examination.

#### **I. Priority**

The Examiner acknowledges Applicants' claim for foreign priority. However, the Examiner states that none of the certified copies of the priority documents have been received. Applicants note that the present application is a divisional application of prior U.S. Application Ser. No. 10/034,607 (Your Ref.: 7NN-01S1088-1; Our Ref.: Q67606) and the certified copies of the priority documents were filed in that case on July 8, 2004. Therefore, Applicants respectfully request formal acknowledgment of receipt of the certified priority documents in App. No. 10/034,607 in the next Office Action.

#### **II. PTO 892 Form**

The Office Action Summary sheet indicates that a PTO-892 Form, which lists references cite by the Examiner, is attached. However, the copy of the Office Action received by Applicants' representative does not include a PTO-892 Form. Applicants note that the references cited in the Office Action by the Examiner are listed on the PTO/SB/08 Form filed with the IDS filed on February 6, 2004. Therefore, the checked box on the Office Action Summary sheet indicating that the PTO-892 Form is attached to the Office Action may have

been an error on the Examiner's part. Applicants respectfully request clarification of this matter in the next response.

**III. Response to Claim Rejections under 35 U.S.C. § 102**

Claims 6-15 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by any one of Farid et al '235, Adin et al '260 or Adin et al '570.

Each of Farid, Adin et al '260 and Adin et al '570 are relied on for the disclosure of a silver halide light-sensitive material comprising a support thereon having at least one light-sensitive silver halide emulsion layer containing an emulsified dispersion, wherein the material contains at least one compound inclusive of the instant formula (I) as recited in the present claims. Further, the Examiner states that the examples in each of the references discloses a material within the scope of formula (I) and further comprises at least one surfactant and high boiling organic solvent.

Applicants respectfully submit that the cited references do not anticipate the presently claimed invention.

The presently claimed invention is characterized in that an emulsified dispersion containing a specific surfactant and a compound represented by formula (I) are comprised in the same light-sensitive layer as recited in amended claim 6. However, none of Farid et al, Adin et al '260, and Adin et al '570 discloses, teaches or suggests the presently claimed invention and therefore cannot be said to anticipate the presently claimed invention.

Further, due to the structure of the claimed invention, the present invention has the remarkable advantage of having an excellent effect in suppressing sensitivity decrease

particularly after thermal conditions. None of Farid et al, Adin et al '260 or Adin et al '570 mentions or even recognizes such an advantage. Thus, the cited references cannot be said to render obvious the presently claimed invention.

Claims 7-15 and new claim 21 depend from claim 6 and are distinguished over the art of record for at least the same reason. Accordingly, Applicants respectfully request withdrawal of the rejection.

#### **IV. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

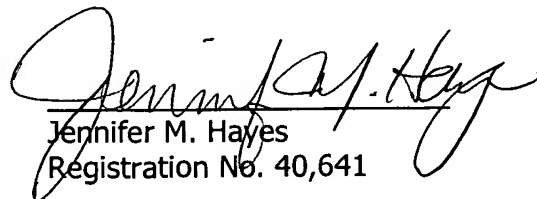
Respectfully submitted,

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

  
Jennifer M. Hayes  
Registration No. 40,641

Date: January 14, 2005